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Attorneys for Defendants  
ANDRÉ NEUMANN-LORECK and KAY H. YUN

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

ALLSTATE INSURANCE COMPANY, an  
Illinois Corporation,

Plaintiff,

vs.

ANDRÉ NEUMANN-LORECK, KAY H.  
YUN, and NICOLAS DONATIELLO,

Defendants.

No. 3:12-cv-00773-JSW

**STIPULATION OF DISMISSAL OF  
NICOLAS DONATIELLO WITHOUT  
PREJUDICE AND ~~PROPOSED~~  
ORDER THEREON  
[FED.R.CIV.P. 41(a)(1)(A)(ii)]**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff ALLSTATE INSURANCE COMPANY and Defendant NICOLAS DONATIELLO agree that Defendant NICOLAS DONATIELLO is hereby DISMISSED from this action, WITHOUT PREJUDICE, with each party to bear her, his or its own costs and fees. Defendants ANDRE NEUMANN-LORECK and KAY H. YUN agree to the dismissal without prejudice of NICOLAS DONATIELLO. The parties respectfully request that the Court approve and give effect to this Stipulation.

SIGNATURE ATTESTATION:

Pursuant to Civil Local Rule 5.1, section (i), regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

By /s/ EMILY NOZICK  
EMILY NOZICK

**IT IS SO STIPULATED.**

Dated: July 27, 2012

SNR DENTON US LLP

By /s/ CYNTHIA L. MELLEMA  
CYNTHIA L. MELLEMA

Attorneys for Plaintiff  
ALLSTATE INSURANCE COMPANY

Dated: July 27, 2012

MCINERNEY & DILLON, P.C.

By /s/ HOWARD G. CURTIS  
HOWARD G. CURTIS

Attorneys for Defendant  
NICOLAS DONATIELLO

1 Dated: July 27, 2012

FARELLA BRAUN + MARTEL LLP.

2  
3 By /s/ ADAM C. DAWSON  
4 ADAM C. DAWSON

5 Attorneys for Defendants  
6 ANDRE NEUMANN-LORECK and KAY H. YUN

7 **IT IS SO ORDERED.**

8  
9  
10 Dated: July 27, 2012

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

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